

Message Text

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ACTION ARA-14

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 NSAE-00
NSCE-00 SSO-00 ICAE-00 INRE-00 PM-05 H-01 INR-10
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O P 012125Z JUN 78
FM AMEMBASSY SANTO DOMINGO
TO SECSTATE WASHDC IMMEDIATE 4775
INFO AMEMBASSY BOGOTA PRIORITY
AMEMBASSY CARACAS PRIORITY
AMEMBASSY LISBON PRIORITY
AMEMBASSY MADRID PRIORITY
AMEMBASSY PORT AU PRNCE PRIORITY
AMEMBASSY SAN JOSE PRIORITY
USCINCSO QUARRY HGTS CZ PRIORITY

C O N F I D E N T I A L SANTO DOMINGO 2972

E.O. 11652: GDS
TAGS: PINT, PEPR, PINS, DR
SUBJECT: STATUS OF REFORMISTA CHALLENGES TO ELECTION RESULTS

REF: SANTO DOMINGO 2904

1. IN ACCORDANCE WITH STATEMENTS MADE IN ITS RECENT
MEDIA CAMPAIGN ALLEGING IRREGULARITIES AND "FRAUD"
WHICH IT SAYS BENEFITED THE PRD IN THE MAY 16 ELECTION,
THE REFORMIST PARTY HAS BEGUN FORMALLY TO CHALLENGE
ELECTION RESULTS AROUND THE COUNTRY. THE PROCEDURE
IS RECOGNIZED UNDER THE DOMINICAN ELECTION LAW.

2. EMBASSY WAS INFORMED THAT ORDERS WENT OUT RECENTLY
TO ALL MUNICIPAL CHARPTERS OF REFORMIST PARTY TO
CHALLENGE ALLEGED IRREGULARITIES BEFORE MUNICIPAL
ELECTORAL BOARDS. THE REFORMISTA INSTRUCTIONS OUT-
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LINE BASIS FOR CHALLENGING LOCAL ELECTORAL RESULTS,
INCLUDING ARGUMENTS THAT 700,000 DOMINICANS WERE
PROHIBITED FROM VOTING DUE TO IRREGULARITIES IN
ELECTORAL PROCESS. THEY ALSO CHARGE THAT THE JCE
COMPUTERIZED VOTER REGISTRATION SYSTEM WAS USED TO
IDENTIFY REFORMISTA VOTERS AND ASSIGN THEM TO VOTING
PLACES OTHER THAN THOSE WHERE THEY VOTED IN PREVIOUS

ELECTIONS. FINALLY, THEY CALL FOR THE CELEBRATION OF "COMPLIMENTARY ELECTIONS" FOR VOTERS WHO DID NOT VOTE MAY 16.

3. SUCH CHALLENGES (IMPUGNACIONES) AT THE MUNICIPAL LEVEL CONSTITUTE THE FIRST STAGE OF THE APPEALATE PROCEDURE UNDER THE ELECTORAL LAW. THE DECISION OF THE MUNICIPAL BOARDS MAY THEN BE APPEALED TO THE CENTRAL ELECTROAL BOARD (JCE), WHOSE DECISION IS FINAL.

4. PRESS REPORTS AND PRD SOURCES INDICATE REFORMISTA IMPUGNACIONES HAVE BEEN MADE TO DATE AT ABOUT 10 OF THE 84 MUNICIPAL BOARDS, ALL BELIEVED TO BE LOCATED IN HEAVY POPULATION CENTERS. IN THE FIRST SUCH CHALLENGE TO BE RULED ON, THE MUNICIPAL BOARD OF SANTIAGO YESTERDAY EVENING REJECTED ALL REFORMISTA COMPLAINTS. PRIOR TO THE DECISION, THE SANTIAGO BOARD HAD BEEN UNDER CONSIDERABLE PRESSURE FROM LOCAL CIVILIAN AND MILITARY AUTHORITIES, AND EARLIER THIS WEEK IT APPEARED THE BOARD WOULD BE OBLIGED TO REFER THE CHALLENGE TO THE JCE IN SANTO DOMINGO.

5. MEANWHILE, THE JCE MET TODAY TO CONSIDER THE CHALLENGE (RECUCASION) AGAINST ITS CHAIRMAN, MANUEL JOAQUIN CASTILLO, WHOSE IMPARTIALITY WAS QUIESTIONED BY THE REFORMIST PARTY OF THE NATIONAL DISTRICT (REFTEL).
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IT HAS BEEN WIDELY NOTED BY LAWYERS AND JURISTS THAT THE CHALLENGE TO CASTILLO WOULD PROBABLY BE THROWN OUT ON PROCEDURAL GROUNDS BECAUSE, UNDER THE ELECTORAL LAW, A LOCAL PARTY ORGANIZATION DOES NOT APPEAR TO BE EMPOWERED TO RAISE SUCH A COMPLAINT WITH THE NATIONAL ELECTIONS BOARD. IN AN APPARENT EFFORT TO CORRECT WHAT SEEMS TO HAVE BEEN ITS ORIGINAL MISTAKE, THE REFORMIST PARTY "NATIONAL DIRECTORATE" TODAY ALSO SUBMITTED A CHALLENGE AGAINST CASTILLO.

6. COMMENT: THE VARIOUS REFORMISTA CHALLENGES ARE PROCEEDING ALONG STRICTLY LEGAL LINES AND IN DUE COURSE WILL BE DECIDED UPON. THE ENTIRE APPEAL PROCESS HAS BUILT-IN TIME LIMITS WHICH SHOULD FREE THE JCE IN A PERIOD OF ABOUT TWO WEEKS TO FINALLY DECLARE THE OFFICIAL RESULTS OF THE ELECTIONS WHICH UNDER THE LAW ARE TO BE ISSUED WITHIN 30 DAYS OF THE ELECTION. ALTHOUGH SOME PRD LEADERS AT TIMES EVINCE WORRY THAT THE CHALLENGES CAN BE USED, DIRECTLY OR INDIRECTLY, TO OVERTURN THEIR APPARENT VICTORY, THE COOLER HEADS IN THE PARTY LEADERSHIP REMAIN CALM AND CONVINCED THAT ONLY FORMALITIES REMAIN IN THE ELECTORAL PROCESS.

THE MORE RATIONAL LEADERS IN THE REFORMIST PARTY ALSO
UNDERSTAND THAT THE CHALLENGES IN THEMSELVES CANNOT,
AND PERHAPS SHOULD NOT, BE USED AS A DEVICE FOR UNDOING
THE TRANSITION OF POWER TO THE PRD. RATHER, THEY VIEW
THEM STRICTLY AS A MEANS OF SHORING UP PARTY MORALE AND
SETTING THE STAGE FOR THE LONG HARD EFFORT TO MAINTAIN
THE PARTY AS A VIABLE OPPOSITION FORCE.

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